

## Texas Administrative Code

<a href="#">TITLE 25</a>	HEALTH SERVICES
<a href="#">PART 1</a>	DEPARTMENT OF STATE HEALTH SERVICES
<a href="#">CHAPTER 157</a>	EMERGENCY MEDICAL CARE
<a href="#">SUBCHAPTER C</a>	EMERGENCY MEDICAL SERVICES TRAINING AND COURSE APPROVAL
RULE §157.32	Emergency Medical Services Education Program and Course Approval

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(a) Emergency medical services (EMS) Education Program Standards. An EMS Education Program shall meet national education training standards that address at least the following areas:

- (1) program sponsorship;
- (2) program direction and administration;
- (3) medical direction;
- (4) instructor personnel;
- (5) financial resources;
- (6) physical resources, including classroom and laboratory facilities, equipment and supplies, and learning resources;
- (7) clinical and field internship resources;
- (8) academic and administrative policies, procedures and records requirements;
- (9) program evaluation;
- (10) curriculum; and
- (11) delivery of instruction by distance learning technology.

(b) Consideration of training standards. The department shall base the education and training standards on applicable national standards and guidelines for evaluation and approval of EMS education programs adopted by national accrediting organizations.

(c) Curriculum

- (1) Emergency Care Attendant (ECA).

(A) The minimum curriculum shall include all content required by the current national Emergency Medical Responder (EMR) educational standards and competencies as defined in the National EMS Education Standards by the United States Department of Transportation (DOT).

(B) In addition to the minimum curriculum in subparagraph (A) of this paragraph, the curriculum shall include the following subjects:

- (i) recognition and identification of hazardous materials as defined by the Federal Emergency Management Agency curriculum, "Recognizing and Identifying Hazardous Materials";

(ii) airway/ventilation adjuncts; to include use of the bag-valve mask, oxygen administration and oral suctioning;

(iii) measurement of baseline vital signs to include pulse, respiration and blood pressure by palpation and auscultation;

(iv) spinal motion restriction, to include sizing and application of cervical collars and short/long spinal motion restriction devices to supine, seated, and standing patients;

(v) patient assessment;

(vi) bandaging, splinting, and traction splinting;

(vii) cardiac arrest management, including use of the semi-automatic external defibrillator;

(viii) equipment used to lift and move patients;

(ix) communications and documentation; and

(x) ambulance operations, to include emergency vehicle laws.

(C) The course shall include a minimum of 60 clock hours of classroom and laboratory instruction in the approved curriculum.

(2) Emergency Medical Technician (EMT).

(A) The minimum curriculum shall include all content required by the current national EMT educational standards and competencies as defined in the National EMS Education Standards by DOT.

(B) The course shall include a minimum of 150 clock hours of classroom, laboratory, clinical, and field instruction which shall include supervised experiences in the emergency department and with a licensed EMS provider and in other settings as needed to develop the competencies defined in the minimum curriculum.

(3) Advanced Emergency Medical Technician (AEMT).

(A) The minimum curriculum shall include all content required by the current national Advanced Emergency Medical Technician (AEMT) standards and competencies as defined in the National EMS Education Standards by DOT. The following areas must be addressed as outlined in the AEMT national educational standards and the Health and Safety Code, §773.048:

(i) roles and responsibilities of the paramedic;

(ii) well being of the paramedic;

(iii) illness and injury prevention;

(iv) medical/legal issues;

(v) ethics;

(vi) general principles of pathophysiology;

(vii) pharmacology;

(viii) venous access and medication administration;

(ix) therapeutic communications;

(x) life span development;

(xi) patient assessment;

(xii) airway management and ventilation, including endotracheal intubation; and

(xiii) trauma.

(B) The course shall include a minimum of 250 clock hours of classroom, laboratory, clinical, and field instruction which shall include supervised experiences in the emergency department and with a licensed EMS provider and in other settings as needed to develop the competencies defined in the AEMT national educational standards.

(C) A student shall have a current EMT certification from the department or National Registry prior to beginning and throughout field and clinical rotations in an AEMT course.

(4) Emergency Medical Technician-Paramedic (EMT-P).

(A) The minimum curriculum shall include all content required by the current national paramedic education standards and competencies in the National EMS Education Standards as defined by DOT.

(B) The course shall include a minimum of 1000 clock hours of classroom, laboratory, clinical and field instruction which shall include supervised experiences in the emergency department and with a licensed EMS provider and in other settings as needed to develop the competencies defined in the minimum curriculum.

(C) A student shall have a current EMT or AEMT certification from the department or current EMT, EMT-I or AEMT certification from the National Registry prior to beginning and throughout field and clinical rotations in an EMT-P course.

(d) Sponsorship.

(1) EMS Education programs shall be sponsored by organizations or individuals with adequate resources and dedication to carry out successful educational endeavors.

(2) Program sponsors shall provide appropriate oversight and supervision to ensure that programs:

(A) are educationally and fiscally sound;

(B) meet the responsibilities listed in subsection (o) of this section; and

(C) has the required equipment and resources to conduct the program.

(e) Levels of program approval.

(1) A program may be approved as a basic EMS training program or an advanced training program.

(2) ECA and EMT training shall be conducted by a basic program and may be conducted by an advanced program.

(3) AEMT and EMT-P training shall be conducted by an advanced program.

(4) An advanced program shall be considered to have met the requirements for approval as a basic program.

(5) The education programs must have the authority or ownership to provide the program.

(6) Approval of a program by the department is not transferable.

(f) Currently approved programs. Programs that have obtained approval as of the effective date of this rule shall be considered to have met the

requirements of subsections (g) or (h) of this section appropriate to their current level of approval. Paramedic programs must provide proof of accreditation by the Commission on Accreditation of Allied Health Education Programs (CAAHEP)/Committee on Accreditation of Emergency Medical Services Professions (CoAEMSP), or a national accrediting organization recognized by the department. Alternatively, the program may provide a letter of review from CAAHEP/CoAEMSP or a national accrediting organization recognized by the department stating the education program has submitted the appropriate documentation that indicates it being in pursuit of accreditation as defined by that organization.

(g) Basic approval requirements. To receive approval for a basic program, an applicant shall:

- (1) submit a letter of sponsorship;
- (2) submit letters of intent from qualified providers of clinical and field internship experience appropriate to the level of training;
- (3) have at least one course coordinator certified as an EMT or higher;
- (4) have a program director who contributes an adequate amount of time to assure the success of the program. In addition to other responsibilities, the program director shall be responsible for the development, organization, administration, periodic review and effectiveness of the program. In addition to other duties, the program director may function as a course coordinator if appropriately certified; and shall:
  - (A) routinely review student performance to assure adequate progress toward completion of the program;
  - (B) review and supervise the quality of instruction provided by the program; and
  - (C) document that each graduating student has achieved the desired level of competence prior to graduation;
- (5) have a medical director to the level or content of training. The medical director shall be a licensed physician approved by the department with experience in and current knowledge of emergency care. The medical director shall be knowledgeable about educational programs for EMS personnel. In addition to other duties assigned by the program, the medical director shall:
  - (A) review and approve the educational content of the program's curricula;
  - (B) review and approve the quality of medical instruction provided by the program; and
  - (C) attest that each graduating student has achieved the desired level of competence prior to graduation;
- (6) have an advisory committee representing the program's communities of interest (individuals, groups of individuals, or institutions impacted by the program) designated and charged with assisting the program director and

medical director in formulating appropriate goals and standards, monitoring needs and expectations and ensuring program responsiveness to change;

(7) submit a completed application to the appropriate regional office;

(8) demonstrate substantial compliance with the EMS education standards by successfully completing the self-study/on site review process; and

(9) provide a name and contact information for the designated infection control officer and document education for the designated infection control officer based on U.S. Code, Title 42, Chapter 6A, Subchapter XXIV, Part G, §300ff-136.

(h) Advanced approval requirements. To approve an advanced program, an applicant shall:

(1) have successfully operated a basic program;

(2) submit documentation of sponsorship by a regionally accredited post-secondary educational institution or a health care institution accredited by an organization recognized by the department, or any other entity meeting standards and criteria for sponsoring advanced EMS courses;

(3) submit letters of intent from qualified providers of clinical and field internship experience appropriate to the level of training offered;

(4) have at least one advanced course coordinator certified at or above the highest level of training to be offered by the program;

(5) have a program director who contributes an adequate amount of time to assure the success of the program. In addition to other responsibilities, the program director shall be responsible for the development, organization, administration, periodic review and effectiveness of the program; and shall:

(A) routinely review student performance to assure adequate progress toward completion of the program;

(B) review and supervise the quality of instruction provided by the program; and

(C) document that each graduating student has achieved the desired level of competence prior to graduation;

(6) have a medical director who shall be a licensed physician approved by the department with experience in and current knowledge of emergency care. The medical director shall be knowledgeable about educational programs for EMS personnel. In addition to other duties assigned by the program, the medical director shall:

(A) review and approve the educational content of the program's curricula;

(B) review and approve the quality of medical instruction provided by the program; and

(C) attest that each graduating student has achieved the desired level of competence prior to graduation;

(7) have an advisory committee representing the program's communities of interest (individuals, groups of individuals, or institutions impacted by the program) designated and charged with assisting the program director and

medical director in formulating appropriate goals and standards, monitoring needs and expectations and ensuring program responsiveness to change;

(8) submit a completed application to the appropriate regional office;

(9) demonstrate substantial compliance with the EMS education standards by successfully completing the self-study/on-site review process outlined in the national education and training standards; and

(10) provide a name and contact information for the designated infection control officer and document education for the designated infection control officer based on U.S. Code, Title 42, Chapter 6A, Subchapter XXIV, Part G, §300ff-136.

(i) Self-study requirements.

(1) A self-study is a self-evaluation and compilation of documents that describes the proposed or existing program's overall process. It shall explain and/or document the program's organizational structure, resources, facilities, record keeping, personnel and their qualifications, policies and procedures, text books, course delivery methods used, clinical and field affiliations, student to patient contact matrix, psychomotor competency evaluations, a copy of all advertisements, documents provided to students and describe what is necessary for students to complete the program.

(2) All proposed and/or existing programs must provide a self-study at the basic (ECA and EMT) and/or advanced (AEMT and Paramedic) level. Programs that offer paramedic education may submit a copy of a self-study submitted to national accrediting organizations to meet this requirement. However, they must submit supplemental documentation to demonstrate substantial compliance with the EMS education standards of this section.

(A) Each applicant for an EMS Program must submit a self-study that contains the following items:

(i) an organizational chart;

(ii) a description of the ownership and sponsorship of the proposed or existing program;

(iii) a description of financial resources;

(iv) a description of the record keeping process for maintaining program, course, and student records;

(v) a description of the facilities;

(vi) a description of learning resources;

(vii) a description of equipment and supplies;

(viii) a description of personnel (faculty and staff) and qualifications;

(ix) a description of the instructor /faculty credentialing, evaluation and continuing education process.

(x) a description of the clinical and field internship affiliations;

(xi) a description of the student to patient contact ratio and how it will be tracked and monitored. If an existing program at renewal, include a student patient contact ratio report;

(xii) a description of the text books and curriculum;

(xiii) a description of the psychomotor competency evaluation process;  
(xiv) a copy of any policies and procedures used for faculty, staff and students, that address the following:

- (I) attendance, tardiness, and participation;
  - (II) program medical director change;
  - (III) cheating;
  - (IV) clinical and field internship;
  - (V) complaint resolution;
  - (VI) conduct, safety and health;
  - (VII) counseling and coaching of students;
  - (VIII) dress and hygiene requirements;
  - (IX) grading;
  - (X) grievance and appeals;
  - (XI) immunizations;
  - (XII) policies for the prevention of sexual harassment;
  - (XIII) policies for the prevention of discrimination based on race, sex, creed, national origin, sexual preference, age, handicap or medical problems;
  - (XIV) psychomotor competency evaluation;
  - (XV) record keeping and access to records;
  - (XVI) student faculty relationships;
  - (XVII) student screening and enrollment;
  - (XVIII) test review and makeup; and
  - (XIX) tuition and/or fee reimbursement.
- (XX) Provide a name and contact information for the designated infection control officer, and document education for the designated infection control officer based on U.S. Code, Title 42, Chapter 6A, Subchapter XXIV, Part G, §300ff-136.

(xv) a sample of all advertisements and any documents given to potential students, students and exiting students; and

(xvi) a description of any and all requirements for a student to complete a course.

(j) Provisional approval. If following the department's review of the self-study, the applicant is found to be in substantial compliance with established national EMS education standards, the department shall issue a provisional approval.

(k) Lack of substantial compliance. If following the department's review of the self-study, the applicant is not found in substantial compliance with EMS education standards, the program director and sponsor shall receive a written report detailing:

- (1) any deficiencies; and
- (2) specific recommendations for improvement that will be necessary before provisional approval may be granted.

(l) On-site review. After the completion of a provisionally-approved program's first course, an on-site review shall be conducted. The on-site review process is the department inspector's review of a proposed and/or existing program's records plan, self-study, equipment, facilities and clinical and field internship facilities, and student-to-patient contact ratios.

(1) If the program is found to be in substantial compliance with established EMS education standards and all fees and expenses associated with the self-study and on-site review have been paid, the department shall approve the program for a period of four years and issue an approval number. The program director and sponsor shall receive a written report of the site-review team's findings, including areas of exceptional strength, areas of weakness and recommendations for improvement.

(2) If the program is not in substantial compliance with established EMS education standards, the program director and sponsor shall receive a written report detailing deficiencies and specific requirements for improvement. Depending on the nature and severity of the identified deficiencies within the program, the program may or may not be allowed to continue training activities. In all cases, the department in consultation with program officials shall devise a remedial plan for the deficiencies.

(3) Upon completion of a remedial plan a program shall be approved for a period of four years.

(m) Exception to sponsorship requirements for advanced programs.

(1) If an urgent need for an advanced program or an EMS operator instructor program exists in an area and cannot be met by an entity that meets the sponsorship requirements defined in subsection (d) of this section, a licensed EMS provider may request the department to grant an exception to allow the EMS provider to sponsor an advanced program.

(2) Such request must be submitted in writing and must include the following:

(A) documentation of the need for an advanced program and of the urgency of the situation;

(B) documentation that the EMS provider has successfully operated a basic program;

(C) documentation of attempts by the EMS provider to affiliate with an entity that meets the requirements of subsection (h)(2) of this section;

(D) a letter from the EMS provider agreeing to assume all responsibilities of advanced program sponsorship;

(E) letters of intent from qualified providers of clinical and field internship experience appropriate to the level of training to be offered; and

(F) a letter of intent from a medical director who will agree to perform the responsibilities listed in subsection (h)(6) of this section.

(3) In determining whether the request for an exception is to be approved or denied, the department shall consider, but not be limited to, the following issues:



(A) the quality of the basic program previously operated by the EMS provider;

(B) evidence that the EMS provider possesses the resources and dedication necessary to operate an advanced program that complies with the EMS education standards;

(C) the efforts of the EMS provider to affiliate with an entity that meets the requirements of subsection (h)(2) of this section;

(D) the availability of an approved advanced program within a reasonable distance of the affected area;

(E) the availability of an approved advanced program that will provide training to the affected area by outreach or distance learning technology;

(F) the probable impact on existing approved advanced programs if the exception is approved;

(G) the probable adverse consequences to the public health or safety if the exception is not approved; and

(H) the written support by the program medical director.

(4) After evaluation by the department, the EMS provider shall be notified in writing of the approval or denial of the request.

(5) An exception to the requirements of subsection (h)(2) of this section shall meet all other requirements of subsection (h) of this section, including completion of the self-study and the on-site review process, and shall demonstrate substantial compliance with the EMS education standards before being granted approval by the department.

(n) National accreditation for paramedic education/training programs.

(1) In addition to the requirements listed in subsection (h) of this section, all EMS education/training programs currently conducting paramedic education and training must meet the following requirements to receive approval as a paramedic education and training program:

(A) provide proof of accreditation by the CAAHEP/CoAEMSP, or a national accrediting organization recognized by the department; or

(B) provide documentation from CAAHEP/CoAEMSP or a national accrediting organization recognized by the department stating the education program has submitted the appropriate documentation that indicates it being in pursuit of accreditation as defined by the CAAHEP/CoAEMSP or a national accrediting organization recognized by the department. The education/training program that is deemed as pursuing accreditation may be temporarily approved by the department. In order to receive program approval, the education/training program must be accredited and provide proof of their accreditation by the national accrediting organization to the department.

(2) If the education/training program is not accredited or has their accreditation revoked by the national accrediting organization the program will not be allowed to conduct a paramedic education or training course until

the program becomes accredited or the program is recognized by the national accrediting organization as being in pursuit of accreditation.

(3) Initial or current education programs that are not accredited and would like to offer paramedic education and training on or after January 1, 2013 must:

(A) be approved by the department as an EMS basic education program, according to subsection (g) of this section;

(B) submit the appropriate application and fees to the department;

(C) meet the accreditation standards set by CAAHEP/CoAEMSP or another department approved national accrediting organization in order for the department to issue the applicant a temporary approval to conduct paramedic education or training courses; and

(D) provide proof of accreditation by CAAHEP/CoAEMSP or another national accrediting organization recognized by the department. If the training program does not become accredited the program will not be allowed to conduct another paramedic education or training course until the program becomes accredited or the department receives notification from the accrediting organization that the program is recognized as being in pursuit of accreditation as defined by the accrediting organization.

(4) If a program has been accredited by CAAHEP/CoAEMSP or a national accrediting organization recognized by the department, the department may exempt the program from the program approval or re-approval process.

(5) Programs accredited by CAAHEP/CoAEMSP or another national accrediting organization recognized by the department shall provide the department with copies of:

(A) the accreditation self study;

(B) the accreditation letter or certificate; and

(C) any correspondence or updates to or from the national accrediting organization that impact the program's status.

(6) On request of the department, programs shall permit the department's representatives to participate in site visits performed by national accrediting organizations.

(7) If the department takes disciplinary action against a nationally accredited program for violations that could indicate substantial noncompliance with a national accrediting organization's essentials or standards, the department shall advise the national accrediting organization of the action and the evidence on which the action was based.

(8) If a program's national accreditation lapses or is withdrawn, the program shall meet all requirements of this subsection or subsection (g) or (h) of this section within a reasonable period of time as determined by the department.

(o) Denial of program approval. A program may be denied approval, provisional approval, or re-approval for, but not limited to, the following reasons:

(1) failure to meet the requirements established in subsection (g), (h) or (m) of this section;

(2) failure, or previous failure, to meet program responsibilities as defined in subsection (p) of the this section;

(3) conduct, or previous conduct, that is grounds for suspension or revocation of program approval as defined in subsection (u) of this section;

(4) falsifying any information, record, or document required for program approval, provisional approval, or re-approval;

(5) misrepresenting any requirements for program approval, provisional approval, or re-approval;

(6) failing or refusing to submit a self-study or a required report of progress toward remediation of a documented program weakness or areas of non-compliance within a reasonable period of time as determined by the department;

(7) failing or refusing to accept an on-site program review by a reasonably scheduled date as determined by the department;

(8) issuing a check to the department which is returned unpaid;

(9) being charged with criminal activity while approved to provide EMS training;

(10) having disciplinary action imposed by the department on the provider license, personnel certification or licensure, or program for violation of any provision of Health and Safety Code, Chapter 773 or 25 Texas Administrative Code, Chapter 157; or

(11) failure of a paramedic program to become accredited or maintain their accreditation by CAAHEP/CoAEMSP or another national accrediting organization recognized by the department.

(p) Responsibilities. A program shall be responsible to:

(1) plan for and evaluate the overall operation of the program;

(2) provide supervision and oversight of all courses for which the program is responsible;

(3) act as liaison between students, the sponsoring organization and the department;

(4) submit course notifications and approval applications, along with nonrefundable fees if applicable, to the department;

(5) assure availability of classroom(s) and other facilities necessary to provide for instruction and convenience of the students enrolled in courses for which the program is responsible;

(6) screen student applications, verify prerequisite certification if applicable and select students;

(7) schedule classes and assign course coordinators and/or instructors;

(8) verify the certification, license, or other proper credentials of all personnel who instruct in the program's courses;

(9) maintain an adequate inventory of training equipment, supplies and audio- visual resources based on the National EMS Education Standards, and course medical director;

(10) assure that training equipment and supplies are available and operational for each laboratory session;

(11) secure and maintain affiliations with clinical, and field internship facilities necessary to meet the instructional objectives of all courses for which the program is responsible;

(12) develop field internship and clinical objectives for all courses for which the program is responsible;

(13) train and evaluate internship preceptors;

(14) obtain written acknowledgement from the field internship EMS provider medical director, if students will be conducting advanced-level skills as part of their field internship with that EMS provider;

(15) maintain all course records for a minimum of 5 years;

(16) along with the course coordinator develop and use valid and reliable written examinations, skills proficiency verifications, and other student evaluations;

(17) along with the course coordinator and medical director, supervise and evaluate the effectiveness of personnel who instruct in the program's courses;

(18) along with the course coordinator and medical director, supervise and evaluate the effectiveness of the clinical and EMS field internship training;

(19) along with the course coordinator, attest to the successful course completion of all students who meet the programs requirements for completion;

(20) provide the department with information and reports necessary for planning, administrative, regulatory, or investigative purposes;

(21) provide the department with any information that will affect the program's interaction with the department, including but not limited to changes in:

(A) program director;

(B) course coordinators;

(C) medical director;

(D) classroom training facilities;

(E) clinical or field internship facilities; and

(F) program's physical and mailing address;

(22) provide proof of accreditation by CAAHEP/CoAEMSP or another national accrediting organization recognized by the department;

(23) submit a roster of all enrolled students when requested by the department;

(24) submit a final student roster when requested by the department; and

(25) online and or distance learning classes, programs and courses must meet the same standards as outlined in this section.

(q) Program Re-approval.

(1) Prior to the expiration of a program's approval period, the department shall send a notice of expiration to the program at the address shown in the current records of the department.

(2) If a program has not received notice of expiration from the department 45 days prior to the expiration, it is the program's duty to notify the department and request an application for re-approval. Failure to apply for re-approval shall result in expiration of approval.

(3) Programs that have obtained approval as of the effective date of this rule shall be considered to have met the requirements of subsection (g) or (h) of this section appropriate to their current level of approval.

(4) To be eligible for re-approval, the program shall meet all the requirements in subsections (g), (h) or (m) of this section as appropriate to the level of approval requested; and

(A) prepare an update to the program's self-study that addresses significant changes in the program's personnel, structure, curriculum, resources, policies, or procedures;

(B) document progress toward correction of any deficiencies identified by the program or the department through the self-study and on-site review process;

(C) host an on-site review if one is deemed necessary by the department or requested by the program; and

(D) a paramedic program must provide documentation of current accreditation from CoAEMSP or another national accrediting organization recognized by the department.

(r) Fees.

(1) The following nonrefundable fees shall apply:

(A) \$30 for review of a basic self-study, except that this nonrefundable fee may be waived if the program receives no remuneration for providing training;

(B) \$90 for conducting a basic site visit;

(C) \$60 for review of an advanced self-study, except that this nonrefundable fee may be waived if the program receives no remuneration for providing training;

(D) \$250 for conducting an advanced site visit;

(E) \$30 for processing a basic course notification or approval application, except that this nonrefundable fee may be waived if the program receives no remuneration for providing training; and

(F) \$60 for processing an advanced course notification or approval application, except that this nonrefundable fee may be waived if the program receives no remuneration for providing training.

(2) Program approvals shall be issued only after all required nonrefundable fees have been paid.

(s) Course Notification and Approval.

(1) Each course conducted by an approved program shall be approved by notice from the department and the issuance of an assigned course number. A program shall not start a course, advertise a course, or collect tuition and/or fees from prospective students until the course is approved by the department and the assigned course number issued.

(2) The program director of an approved program shall submit notice of intent to conduct a course and the appropriate fee, if required, to the department on a form provided by the department at least 30 days prior to the proposed start date of the course. The notification shall include the following information:

- (A) training level of course;
- (B) dates and times classes are to be conducted;
- (C) physical location of the classroom;
- (D) identification of clinical sites and internship providers, if required;
- (E) name of principle instructor;
- (F) enrollment status;
- (G) anticipated number of students;
- (H) number of contact hours;
- (I) amount of tuition to be charged;
- (J) proposed ending date of the course; and
- (K) signature of the program director.

(3) A nonrefundable course fee, unless program is not remunerated for the course in any way, shall be submitted as follows:

- (A) \$30 for a Basic Course (ECA or EMT);
- (B) \$60 for an Advanced Course (AEMT or Paramedic);
- (C) \$30 for an EMS Instructor Course; and
- (D) \$60 for an Emergency Medical Information Operator Instructor Course.

(4) The department may require submission of a written course approval application, in accordance with the guidelines set forth in the education and training standards, in lieu of the course notification from programs which:

- (A) have not successfully completed a site visit review;
- (B) have proposed courses which do not conform to the approved parameters of the current program standards;
- (C) have not conducted a course of the same level in the previous 12 months; or
- (D) the department has probable cause to suspect are in noncompliance with the provisions of this chapter.

(t) Denial of a course notification or course approval. A course may be denied for, but not limited to the following:

- (1) submission of an incomplete application;
- (2) failure to meet all requirements as outlined in this section;
- (3) failure of the program to hold current approval to conduct the level of the course proposed;

(4) failure to follow the guidelines for submission of the course notification or course approval application and supporting documents;

(5) falsification or misrepresentation of any information required for course notification or course approval; and/or

(6) issuing a check which is returned unpaid.

(u) Disciplinary actions.

(1) Emergency suspension. The department may issue an emergency order to suspend a program's approval if the department has reasonable cause to believe that the conduct of the program creates an immediate danger to the public health or safety.

(A) An emergency suspension shall be effective immediately without a hearing or written notice to the program. Notice to the program shall be presumed established on the date that a copy of the emergency suspension order is sent to the address shown in the current records of the department. Notice shall also be sent to the program's sponsoring entity.

(B) If a written request for a hearing is received from the program, the department shall conduct a hearing not earlier than the 10th day nor later than the 30th day after the date on which the hearing request is received to determine if the emergency suspension is to be continued, modified, or rescinded. The hearing and appeal from any disciplinary action related to the hearing shall be governed by the Administrative Procedure Act, Government Code, Chapter 2001.

(2) Non-emergency suspension or revocation. A program's approval may be suspended or revoked for, but not limited to, the following reasons:

(A) failing to comply with the responsibilities of a program as defined in subsection (o) of this section;

(B) failing to maintain sponsorship as identified in the program application and self-study;

(C) failing to maintain employment of at least one course coordinator whose current certifications are appropriate for the level of the program;

(D) falsifying a program approval application, a self-study, a course notification or course approval application, or any supporting documentation;

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(E) falsifying a course completion certificate or any other document that verifies course activity and/or is a part of the course record;

(F) assisting another to obtain or to attempt to obtain personnel certification or recertification by fraud, forgery, deception, or misrepresentation;

(G) failing to complete and submit course notifications or course approval applications and student documents within established time frames;

(H) offering or attempting to offer courses above the program's level of approval;

- (I) compromising or failing to maintain the integrity of a department-approved training course or program;
- (J) failing to maintain professionalism in a department-approved training course or program;
- (K) demonstrating a lack of supervision of course coordinators or personnel instructing in the program's courses;
- (L) compromising an examination or examination process administered or approved by the department;
- (M) accepting any benefit to which there is no entitlement or benefitting in any manner through fraud, deception, misrepresentation, theft, misappropriation, or coercion;
- (N) failing to maintain appropriate policies, procedures, and safeguards to ensure the safety of students, instructors, or other course participants;
- (O) allowing recurrent use of inadequate, inoperable, or malfunctioning equipment;
- (P) maintaining a passing rate on the examinations for certification or licensure that is statistically and significantly lower than the state average;
- (Q) failing to maintain the fiscal integrity of the program;
- (R) issuing a check to the department which is returned unpaid;
- (S) failing to maintain records for initial or continuing education courses;
- (T) demonstrating unwillingness or inability to comply with the Health and Safety Code and/or rules adopted thereunder;
- (U) failing to give the department true and complete information when asked regarding any alleged or actual violation of the Health and Safety Code or the rules adopted thereunder;
- (V) committing a violation within 24 months of being placed on probation;
- (W) offering or attempting to offer courses during a period when the program's approval is suspended;
- (X) a paramedic program receiving revocation of their accreditation by CAAHEP/CoAEMSP or any other organization that provides nationally recognized EMS accreditation; and/or
- (Y) for starting a course, program or class before receiving official approval from the department.

(3) Notification. If the department proposes to suspend or revoke a program's approval, the program shall be notified at the address shown in the current records of the department. The notice shall state the alleged facts or conduct warranting the action and state that the program has an opportunity to request a hearing in accordance with Administrative Procedure Act, Government Code, Chapter 2001.

(A) The program may request a hearing. The request shall be in writing and submitted to the department.



(B) If the program does not request a hearing within 30 days after the date of the notice of opportunity, the program waives the opportunity for a hearing and the department shall implement its proposal.

(4) Probation. The department may probate any penalty assessed under this section and may specify terms and conditions of any probation issued.

(5) Re-application.

(A) Two years after the revocation or denial of approval, the program may petition the department in writing for the opportunity to reapply.

(B) The department shall evaluate the petition and may allow or deny the opportunity to submit an application.

(C) In evaluating a petition for permission to reapply, the department shall consider, but is not limited to, the following issues:

(i) likelihood of a repeat of the violation that led to revocation;

(ii) the petitioner's overall record as a program;

(iii) letters of support or recommendation;

(iv) letters of protest or non-support of the petition; and

(v) the need for training in the area the program would serve.

(D) The petitioner shall be notified within 60 days at the address shown in the current records of the department of the decision to allow or deny the submission of an application for re-approval.

(6) A program whose approval expires during a suspension or revocation period may not petition to reapply until the end of the suspension or revocation period.

(v) For all applications and renewal applications, the department is authorized to collect subscription and convenience fees, in amounts determined by the Texas Online Authority, to recover costs associated with the application and renewal application processing through Texas Online.

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**Source Note:** The provisions of this §157.32 adopted to be effective February 7, 2001, 26 TexReg 1145; amended to be effective June 1, 2004, 29 TexReg 4492; amended to be effective August 16, 2012, 37 TexReg 6035; amended to be effective February 12, 2017, 42 TexReg 430